

EXHIBIT F

Lila F. Laux, PhD
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March 13, 2019

Kyle Farrar
Kaster, Lynch, Farrar & Ball, LLP
125 NE 1st Ave, Ste 3
Ocala, FL 34470

Re: Susman v The Goodyear Tire and Rubber Co.
US District Ct. District of Nebraska

Dear Mr. Farrar,

You have asked me for a report of my human factors analysis of the information/warnings that accompanied the Goodyear Wrangler HT, DOT MDORNJHV0244 that was on the passenger's side rear of a 2003 Chevrolet Silverado SC1 pickup truck being driven by Larry Blair east on Interstate 80 near milepost 294 in Hall Co., NB on May 1, 2014. The pickup was owned by Dandee Construction. As a result of the tire failure the driver lost control of the Silverado SCI, which rolled, resulting in Mr. Loveland's injury. This letter serves as my report.

My name is Lila Laux. I have a doctorate in Industrial Psychology with a specialization in Human Factors Engineering from Rice University in Houston, Texas and a Master of Science degree in Applied Psychology from the University of Southwest Louisiana at Lafayette (now the University of Louisiana at Lafayette). I was on the faculty and research staff in the Department of Psychology at Rice University from 1986-1994, where I taught Human Factors courses and carried out applied human factors research. I was also on the staff and faculty in the Department of Community Medicine at Baylor College of Medicine from 1981-1994, where I did human factors research. I have taught in the Human Factors short course for professionals at the University of Michigan Ann Arbor and have taught Human Factors Engineering in the Computer Science department at the University of Colorado Denver. My CV and testimony list are attached.

Research we performed in the Human Factors laboratory at Rice studied the characteristics of effective warnings, labels, and instructions, and how to effectively communicate risk information to product purchasers and users. During the time I was teaching and carrying out research at Rice, I was the lead researcher on three contracts with General Motors and four contracts with the AAA Foundation to examine human factors issues associated with capabilities of drivers, warnings and instructions, and the location of controls and displays. The work we did for General Motors resulted in a Manual for GM employees delineating how to determine when warnings are needed and how to develop, locate and evaluate the effectiveness

of those warnings. The results of this work and guidance in developing and evaluating appropriate warnings in vehicles are presented in *A Human Factors Approach to Developing Facilitators (Warnings and Instructions)*, a chapter in a book titled *Automotive Ergonomics*.

In 1994, I left academia and worked for eight years as a Human Factors Engineer for a large telecommunications company, where my responsibilities were the design of work interfaces and practices for employees. I left that position in 2001 and now work as a Principal Human Engineer for a firm that provides human factors research and consultative services to the military, government, public service organizations, and private business.

I continue to teach and consult in the area of human factors and hazard/risk communication. For 20+ years I taught a class for manufacturers and distributors in the Department of Engineering Professional Development at the University of Wisconsin, Madison. The class, titled “The Role of Warnings and Instructions” focuses on developing and evaluating warnings and instructions. Hundreds of product manufacturers and distributors have attended this course, which instructed them regarding:

- processes for the identification of the hazards associated with owning/using a product,
- how to determine the characteristics of the expected consumers/users of their product who will be exposed to any hazards associated with use of the product,
- how to determine the information needs of the exposed population with regard to appropriate product use and the hazards associated with its use,
- how to identify and address common misconceptions regarding the use of their products,
- how to prevent inadvertent incorrect use or foreseeable misuse of the product,
- how to develop and test warnings and instructions and other facilitators such as advertising and training materials, and
- how to evaluate the effectiveness of their instructions and warnings in informing and motivating purchasers and consumers/users of the product.

In this course I also provided manufacturers with a checklist to help them evaluate what warnings and instructions are necessary, and determine whether the design, placement, and effectiveness of their warnings and instructions are adequate. In addition, I teach them how to develop appropriate evaluation methods to assess the effectiveness of the warnings and instructions they provide with their products.

I have worked with a number of manufacturers, advising them on the development and testing of product information, warnings, and instructions. I have qualified and testified as an expert in state and federal courts on these issues and have co-authored a number of publications regarding the development of effective warnings and instructions and communicating hazard and risk information. I have written five book chapters, four of which are included in books that are used for teaching and to guide human factors research. These publications and other relevant papers and presentations are listed in my CV, which is attached.

As a human factors psychologist – also referred to as a human factors engineer and/or cognitive engineer – my day-to-day job is to apply the principles of cognitive psychology and human factors engineering/ergonomics to the design of products and systems to be used by

humans and the communication requirements associated with these products, including product labeling (including on-product warnings), instructions and advertising. I also consult with private companies regarding the development and evaluation of warning systems for their products. In addition, I spend a portion of my time assisting lawyers and parties in litigation.

As part of my human factors analysis of the warnings and instructions provided by Goodyear to purchasers regarding the risk associated with the aging of a tire, I reviewed the materials cited in my report and those provided by your office. The case materials provided by your office are listed in Appendix A. Cited materials and additional relevant materials from my files are given in Appendix B.

Based on my review of the case materials I have the following understanding of the accident that resulted in Shane Loveland's injury:

1. Mr. Blair, Mr. Loveland and Jacob Summers were riding in the Silverado pickup on their way to a worksite. The pickup was owned by Dandee Construction Co.
2. The Silverado pickup's right rear tire detreaded and Mr. Blair lost control. The pickup crossed into the median and rolled.
3. Mr. Summers was sitting in the center of the front seat of the pickup.¹ Mr. Loveland was sitting on the passenger/window side.
4. All three men were ejected from the pickup when it rolled and Mr. Loveland was seriously injured. They were not wearing their seatbelts.²
5. Based on the DOT number the tire that detreaded was manufactured in the 24th week of 1994, making it approximately 20 years old.

The following are relevant facts gleaned from my review of the materials listed above and/or cited in my statements below (for cited references see Appendix B):

1. Justin Underwood was shop supervisor who oversaw service and repair of vehicles at Dandee Construction Company at the time of the accident.³
2. It was a policy of Dandee Construction company that "All employees who are in charge of the company vehicle or any other equipment will be responsible for operation of the same, such as checking the oil, transmission fluid, tires, etc."⁴ They were expected to check the tires every day for air pressure and visible defects.⁵
3. The tire that detreaded was a used tire that had been placed on the Silverado.⁶
4. Mr. Blair stated that he did check the tires every day before leaving the shop and that he had not seen any problem with the tire on the day of the accident. He thought the tires were less than a year and half old.⁷ He said if he had seen any thread (*sic*) or cracks on the tire that detreaded he would have asked for it to be replaced.

¹ Blair deposition pp. 67-68

² Ibid

³ Bueser deposition p. 11

⁴ Bueser deposition p. 29

⁵ Ibid p. 31

⁶ Ibid p.p. 42-43

⁷ Blair deposition pp. 54-55

5. Daniel Bueser, the owner of Dandee Construction Company, stated that the tires had not been damaged after being placed on the Silverado.⁸ He stated that the Dandee employees were properly caring for their tires⁹ and that the tire that failed probably had 9/32 of tread on it, which he considered sufficient.¹⁰ He stated that Dandee's pickups were never overloaded because the heavy equipment was carried on bigger trucks.¹¹
6. Failure of a tire can cause the vehicle to suddenly veer off the path it is on to the side with the failed tire. The natural response of the driver is a strong steering input to correct the sudden veering.^{12,13} This often causes the vehicle to leave the road and roll over.
7. Most tire manufacturers now recommend taking tires 10 years old or older out of service, but do not warn of the increased likelihood of tread separation or the likelihood of loss of control in the event of a tread separation. The Japanese Automotive Tyre Manufacturers' Association (JAT) now recommends removing a tire 10 years old or older from service, but does not warn of the tread separation hazard or its consequences.¹⁴
8. Most vehicle manufacturers recommend taking tires out of service if they are 6 years old or older, e.g., Audi, BMW, Cadillac, Chrysler, Dodge, Mitsubishi, Toyota, and Volkswagen.¹⁵ Ford added the 6 year age limit recommendation in 2005. As early as 1990 some vehicle manufacturers were advising vehicle owners that tires older than 6 years "should only be used cautiously in an emergency." Volkswagen stated in its 1990/1991 Jetta OM:¹⁶

Tires age even if they are not being used.
Tires which are older than 6 years should only be used cautiously in an emergency.

9. In 2001 the British Rubber Manufacturers Association recommended replacing tires >10years old. Most tire manufacturers now state that tires should be replaced if they are more than 10 years old, even if they have adequate tread depth.
<http://www.tirerack.com/tires/tiretech/techpage.jsp?techid=267>.
10. An unsafe "aged" tire (>10 years old) can appear to be safe to a layperson who examines the tread and finds more than the 2/32nds that is considered the minimum safe amount of tread.¹⁷
11. In 2002 NHTSA began examining aging as a factor in tread separation. See <http://www.nhtsa.gov/Research/Vehicle+Research+&+Testing+%28VRTC%29/Tires> for research performed by NHTSA regarding tire aging.

⁸ Bueser p. 60

⁹ Ibid p. 63

¹⁰ Ibid p. 64

¹¹ Ibid p. 73

¹² Demere, Mac (2013). How to safely handle a blowout. The AllstateBlog. <http://blog.allstate.com/how-to-safely-handle-a-tire-blowout/>

¹³ Ranney et al 2003

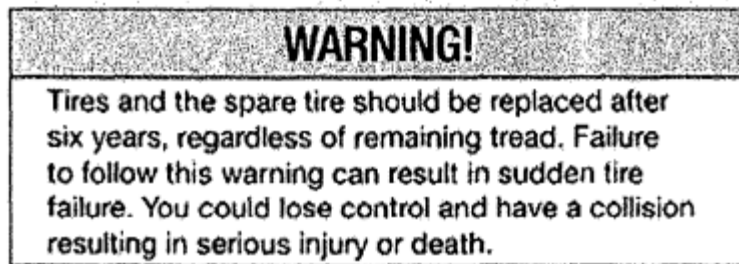
¹⁴ Cooper/Firestone Technical Bull. Ref. No. P-05-10, Japan Automotive Tyre Manufacturers Association, Cooper Service Bull No. 112, Michelin Tech Bull 2006, Continental Product Service Information Bulletin PSIB 06-02.

¹⁵ <http://www.consumerreports.org/cro/news/2009/05/when-to-buy-new-car-tires-based-on-tire-age/index.htm?loginMethod=auto>

¹⁶ 1990/1991 Passat Volkswagen Owner's Manual

¹⁷ Choi, 2012

12. According to NHTSA, aged tires had higher failure rates than new tires of the same make and model. As tires age, the likelihood of a tread separation or tire failure increases. Older tires are substantially more likely to fail than newer ones.
13. Once a tire begins to break down, it becomes more likely to fail in the form of a tread separation, especially at highway speeds. Tread separations can lead to rollover. Most tread separations occur in warm climates.¹⁸
14. NHTSA states that the side of the tire bearing the DOT code with the tire manufacture date is often on the inside of the tire when the tire is mounted and not readily visible without taking the tire off the vehicle.¹⁹
15. Cooper Tires states that "Tires 10 or more years old should be replaced even if the tires appear to be undamaged and have not reached their tread wear limits."²⁰
16. For tires that were manufactured prior to 2000 the DOT number on one side of the tire is the last 3 digits with the last digit representing the year of manufacture and the two preceding numbers designating the week of manufacture. In this case the DOT number was MDORNJHV0244, which indicated that the tire was manufactured in the 24th week of 1994.
17. It is difficult for most lay persons to determine the age of a tire. Tires that look perfectly good to the layman may be aged and more likely to have a tread separation. The DOT number is not easily decoded by lay people.²¹
18. Tire aging creates a latent hazard because age-related changes in the tire are typically invisible. A latent hazard is one that users/consumers are not aware of and cannot easily detect.
19. An example of a warning from vehicle manufacturers regarding aging tire use is this warning that Jeep placed in its 2013 Owner's Manual:



Notice in 2013 Jeep Wrangler Owner's Manual

20. Single vehicle run-off-road crashes are among the greatest contributors to highway fatalities.²²
21. Rollover crashes result in a disproportionately large number of highway fatalities^{23, 24}

¹⁸ Garrott, 2003.

¹⁹ NHTSA 49 FR Parts 567, 571, 574, 575 and 597 Docket No. NHTSA-02-13678 RIN 2127-A132 Tire Safety Information 2003

²⁰ Service Life for Passenger Car, Light Truck and Full-size Spare Tires Cooper Service Bulletin 112, 2006 http://us.coopertire.com/CooperTiresConsumer2013/media/Documents/Service_Bulletin_112.pdf

²¹ Kalsher et al, 2005.

²² Neuman, 2006.

²³ <http://www.iihs.org/iihs/topics/t/rollover-crashes/topicoverview>

²⁴ NHTSA, 2011

22. Rollover accidents are the most dangerous collision type for all classes of light vehicles, measured by either fatalities or incapacitating injuries per involved occupant.
<http://129.10.155.92/mvhappdfs/ro.nhtsa.tech.assess.7.91.pdf>
23. Rollover accidents are more common in rural areas.²⁵ Almost three-quarters of fatal rollovers occur in rural areas on roads where the speed limit is 55 mph or more.
<http://www.consumerreports.org/cro/2012/02/rollover-101/index.htm>
24. According to the National Highway Traffic Safety Administration (NHTSA), rollovers are the most common type of fatal crashes for light trucks. <http://www-nrd.nhtsa.dot.gov/Pubs/810741.pdf>

Based on my review and the information stated above and my training and experience as a human factors engineer and cognitive scientist, I have the following opinions:

1. Mr. Blair was clearly part of the expected user population of the 2003 Silverado pickup and the 1994 Goodyear tire.
2. Drivers lack of understanding about the effects of aging on tire performance, and the fact that aging tires are more likely to fail and increase the risk of a rollover accident was foreseeable to Goodyear. Most drivers will not know that the likelihood of losing control of their vehicle if a tire fails is high.
3. Most vehicle maintainers and drivers will not be able to detect when a tire is at risk of separating as the tire in this accident event did. They do not know that a tire more than 6 years old is at greater risk of failure. They do not know that many tire manufacturers recommend that tires 10 years old or older be removed from service even if they look serviceable to the layman and that many vehicle manufacturers recommend not using a tire 6 years old or older. Most vehicle maintainers and drivers do not know that a tire with adequate tread can still be an aged tire that is at risk of failure. They do not know that the DOT number contains the date the tire was manufactured or how to read the DOT number, which may not be visible when the tire is on the vehicle.
4. Most vehicle maintainers and drivers do not know that a tire that is 10 years old or older should not be placed on a vehicle or driven at highway speeds because this creates a hazardous situation. They do not know that the aged tire, that may look perfectly fine, could fail if driven any distance at highway speeds and cause a loss of control.^{26 27}
5. Goodyear should have provided a Product Service Bulletin to all tire repair shops and to all tire sales facilities recommending that all tires more than 10 years old be replaced or never driven at highway speeds.
6. Goodyear should have provided the “born date” of the tire on both sides of the tire sidewall: **e.g., Tire manufacture date February 1997**. This would allow laypeople to

²⁵ NHTSA Office of Vehicle Safety Standards (1992). Planning Document for Rollover Injury Mitigations, Docket 91-68 No. 1

²⁶ Cowley, Kim & Wogalter, 2006

²⁷ TSG (2013). <http://www.tiresafetygroup.com/tires-expire-in-six-years/>

accurately determine the age of their tires. Had Mr. Bueser known this tire was approximately 20 years old, it is likely he would not have purchased it.

7. An adequate warning regarding tire aging would include the elements in the following prototype:

!WARNING! Old tires can throw tread or otherwise fail causing the driver to lose control. Do not use a tire if it is more than 10 years old. Loss of control can cause injury or death.

Prototype of warning for placement on inward and outward facing tire sidewalls below the manufacture date

This prototype warning was developed following guidelines such as ANSI Z 535 Safety Alerting Standards. The recommendations for warning placement also follow those standards. The typical process followed by warnings professionals is to develop the best warning system possible following human factors guidelines for hazard communications, standards such as ANSI Z 535, and government warning requirements such as those in FMVSS and from the CPSC. The prototype warning should be validly tested with a representative user group to determine whether it can be seen and read and whether it is understood. Once a warning is in place data should be collected on accidents to determine whether the warning is being effective.

8. It was foreseeable to Goodyear that a tire 20 years old could appear to be in good shape and not exhibit any of the characteristics that they list as being a reason for replacing a tire (e.g. tread worn down to minimum depth, signs of damage (cuts, cracks, bulges, etc.) or damage caused by underinflation or overloading).²⁸ It was also foreseeable to Goodyear that a tire 20 years old or more was more likely to fail catastrophically than a tire 6 years old or newer when driven at highway speeds, resulting in vehicle loss of control including roll over.
9. Goodyear's failure to adequately warn and instruct vehicle owners, maintainers and drivers about the hazards associated with driving at highway speeds on a tire more than 10 years old created an unreasonably dangerous situation, which precipitated the injury/death accident.
10. Had Goodyear provided adequate information about the age of the tire and warnings regarding driving at highway speeds with a tire 10 years old or older it is likely that this tire would have been replaced and the accident would not have happened. Failing to warn maintainers and drivers not to drive a tire that was 10 or more years old at highway speeds shows a total disregard for the safety of the driver, passengers in the vehicle, and the driving public.

²⁸ Goodyear Product Service Bulletin #2006-13 March 22, 2006

If I receive additional information regarding the accident that is the subject of this lawsuit, I may alter or add to my opinions.

A handwritten signature in cursive script that reads "Lila Laux". The ink is dark and the signature is fluid.

Lila Laux, PhD

Appendix A. Case Materials Provided by Plaintiff's Attorney

Complaint

Police Accident Report

Depositions:

Larry Blair

Rysta Susman with exhibits

Jacob Summers

Daniel Bueser with exhibits

Appendix B. Relevant materials from Lila Laux' files

1. Everest Loss Control Alert Aging Tires (2010).
<http://www.everestire.com/Portals/0/Documents/Alerts/Aging%20Tires.pdf>
2. Rucoba et al (2011). An analysis of driver reactions to tire failures simulated with the National Advanced Driving Simulator (NADS) Proceedings of the 6th Intl Driving Symposium in Driver Assessment, Training and Vehicle Design.
3. NHTSA. (2003). Passenger Vehicle Tire Labeling. Available at:
<http://www.safercar.gov/portal/site/safercar/menuitem.13dd5c887c7e1358fefe0a2f35a67789/?vgnextoid=8e1c4507fe526110VgnVCM1000002fd17898RCRD>
4. <http://www.gpo.gov/fdsys/pkg/CREC-2005-05-09/pdf/CREC-2005-05-09.pdf>
5. In the US More Than 8,000 People Die in Single Vehicle Rollover Crashes Every Year. <http://www.smartmotorist.com/traffic-and-safety-guideline/in-the-us-more-than-8000-people-die-in-single-vehicle-rollover-crashes-every-year.html>
6. Congressional Record Volume 151 Section 7253 Tire Research
7. Kalsher, Michael, Wogalter, Michael, Lim, Raymond & Laughery, Kenneth (2005). Consumer knowledge of tire maintenance and aging hazard. Proceedings of the 49th Annual Meeting of the Human Factors and Ergonomics Society.
8. MacIsaac, James, Jr., (2010). Summary of NHTSA tire aging test development research. NHTSA
9. Zador, Paul, Williams, Allan & Ciccone, Michael (1992). Fatal rollover rates of small utility vehicles and pickups. IIHS
10. Cowley, Jennifer, Kim, Soyun & Wogalter, Michael (2006). People do not identify tire aging as a safety hazard. *Proceedings of the Human Factors and Ergonomics Society 50th Annual Meeting*.
11. Kalsher, Michael, Wogalter, Michael & Laughery, Kenneth (2005). Consumer knowledge of tire maintenance and aging hazard. Proceedings of the Human Factors and Ergonomics Society 49th Annual Meeting.
12. Garrott, W. Riley (2003). What applied research has learned from industry about tire aging. NHTSA
13. How to Determine a Tire's Age. http://www.ehow.com/how_4466129_determine-tires-age.html
14. Neuman, Timothy (2006). Surface Transportation Safety and Investment Update since 2000. AASHTO, pp. 48-50
15. Tire Aging Demonstration <http://www.safetyresearch.net/safety-issues/tires/>
16. Choi, E-H. (2012, April). Tire-Related Factors in the Pre-Crash Phase. (Report No. DOT HS 811617). Washington, DC: National Highway Traffic Safety Administration.
<https://crashstats.nhtsa.dot.gov/Api/Public/ViewPublication/811617>
17. Taylor, J & Wogalter, M. (2011). Effect of text format on determining tires' date of manufacture. Proc of the HFES Annual Meeting
18. Edworthy, Jody and Adams, Austin (1996). *Warning Design*. Taylor & Francis.
19. Laux, Lila & Mayer, David. (1992). A human factors approach to developing facilitators (warnings and instructions). In Brian Peacock & Waldemar Karwowski, (Eds.). *Automotive Ergonomics*, Taylor & Francis, Ltd.: Washington, D.C.

20. Lehto, Mark & Miller, James (1986). *Warnings Vol I Fundamentals, design, and Evaluation Methodologies*. Fuller Technical Pubs, Ann Arbor, MI
21. Lehto, James & Lehto, Mark (2002). *Warnings and Safety Instructions Annotated and Indexed*. 4th Ed. Fuller
22. Lundgren, Regina and McMakin, Andrea (1998). *Risk Communication*. Batelle Press.
23. Miller, James & Lehto, Mark (1987). *Warnings Vol II Annotated Bibliography*. Fuller Technical Pubs, Ann Arbor, MI
24. Miller, James, Lehto, Mark & Frantz (1990). *Instructions and Warnings The Annotated Bibliography*. Fuller Technical Pubs, Ann Arbor, MI.
25. Baldwin, John (2006). Tire aging update. ITEC, Rubber & Plastics News
26. NHTSA Tire Aging Test Development Project
27. NHTSA (2011). Rollover Data Special Study Final Report DOT HS 811 435
28. Rucoba et al (2011). An analysis of driver reactions to tire failures simulated with the National Advanced Driving Simulator (NADS). Proceedings of the 6th Ontl Driving Symp in Driver Assessment, Training and Vehicle Design.
29. Gilbert, M., Mueller, T. & Nirveill, J. (2010). The effect of tread separation on vehicle controllability.
30. Tire Aging: Is NHTSA Ready to Make Policy?
<http://www.safetyresearch.net/2013/02/13/tire-aging-is-nhtsa-ready-to-make-policy>
31. Aging Tires.
<http://www.everestre.com/Portals/0/Documents/Alerts/Aging%20Tires.pdf>
32. Tire Aging
<http://www.safercar.gov/Vehicle+Shoppers/Tires/Tires+Rating/Tire+Aging>
33. NHTSA Research Report to Congress on Tire Aging 2007 DOT HS 810 799
34. Ranney, Thomas, Heydinger, Gary, Watson, Ginger, Salaani, Kamel & Mazzae, Elizabeth (2003). NHTSA Investigation of Driver Reactions to Tread Separation Scenarios in the National Advanced Driving Simulator (NADS). DOT HS 809 523
35. Ranney, Heydinger et al (2002). Investigation of Driver Reactions to Tread Separation Scenarios in the National Advanced Driving Simulator (NADS). DOT HS 809 523
36. NHTSA Tire Aging Test Development Project Report 1: Laboratory Roadwheel Testing of Light Vehicle Tires as Purchased New and after Retrieval from Service in Phoenix, Arizona Phase 1 - Phoenix, Arizona, Tire Study. (2009). DOT HS 811 201.
37. NHTSA Tire Aging Test Development Project Phase 1 - Phoenix, Arizona Tire Study Report 2: Peel Adhesion of Light Vehicle Tires as Purchased New and After Retrieval from Service in Phoenix, Arizona USA. (2009). DOT HS 811 227.
38. NHTSA Tire-Related Factors in the Pre-Crash Phase (2012). DOT HS 811 617.
39. NHTSA. Tires: Your safety and your life are riding on them. *Safety in Numbers*, Vol 1(3), June2013
40. RMA Tire Information Service Bulletin #115 (2007), Passenger and light truck used tires.

41. Safety Research & Strategies, Inc. (2006). Two tire makers tire add tire aging replacement guidelines. <http://www.safetyresearch.net/blog/articles/two-tire-makers-add-tire-aging-replacement-guidelines-us-market>

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EDUCATION

Doctor of Philosophy, Industrial Psychology/Human Factors Engineering, Rice University.
Master of Science, Applied Psychology, University of Southwest Louisiana.
Bachelor of Arts, Rice University.
Certification, Assistive Technology, California State University Northridge
DoD Top Secret Clearance

PROFESSIONAL AFFILIATIONS

The Human Factors and Ergonomics Society
Editorial Board of the Journal of the Human Factors and Ergonomics Society
Rocky Mountain Chapter of the HFES

Past-president of the Rocky Mt. Chapter of the Human Factors and Ergonomics Society (HFES); Past President Houston/NASA Chapter of the HFES; Past member of the Board of Directors of the Texas Safety Association; Past Advisory Board of the AAA/Texas Region; Houston Council on Aging; Texas Dept. of Health Working Committee to Establish Goals for the Reduction of Unintentional Injury for Texas, Year 2000; Co-chair of the Texas Older Driver Taskforce Committee on Testing/relicensing; chair of several technical groups for the HFES.

PROFESSIONAL EXPERIENCE

October 2001 to Present

Alion Science & Technology, HSI & Decision Support Operation
Louisville, CO
Principal Human Engineer

February 1, 1994 - June 30, 2001

US West Technologies/Qwest Communications
Lead Human Factors Engineer

September 1985 - December 31, 1993

Baylor College of Medicine - Dept. of Community Medicine, Houston, TX
Research Staff and Faculty conducting basic human factors research.

September 1988 – Oct. 2014

University of Wisconsin School of Professional Engineering Development.

August 2018

Speaker/presenter in the course for industry *The Role of Warnings and Instruction*

August 1986 – December 1993

Research Associate and Instructor, Dept. of Psychology, Rice University.
Conducted basic human factors research. Taught human factors and Industrial Psychology.

June 1982 – August 1993

Office of Continuing Studies, Rice University, Director of Testing - ESL program.

Jan 1990 – Aug 1991

Co-principal on a grant funded by the AAA Foundation to study the safety implications of changes in the location and demands of vehicle displays and controls.

Mar 1990 – June 1991

Research Associate on a grant funded by the National Institute on Alcohol Abuse and Addiction to study attention effects with respect to warnings on alcohol containers.

Sept 1989 – Jan 1990

Co-principal on a grant from the AAA Foundation to study the driving patterns of older drivers and the characteristics of older drivers that are related to driving problems.

Aug 1988 – Jan 1991

Consultant to Lockheed Engineering to work on a NASA project to develop a nonintrusive inflight data collection system for human factors analysis of astronaut performance.

Jan 1989 – May 1990

Co-principal on a General Motors contract to develop human factors requirements for the Access Car, a car designed to meet the needs of older drivers

Apr 1988 – Aug 1988

Co-principal on a grant from Pontiac Division of General Motors to develop a manual outlining the human factors approach to developing facilitators (warnings, labels, and instructions).

May 1987 – Aug 1987

Co-investigator on a project funded by Chevrolet Division of General Motors to perform Human Factors analysis of vehicle owner's manuals, labels, and warnings.

May 1985 – Aug 1985

Co-authored a manual for participants in the extensive outplacement program offered by King, Chapman & Broussard, a consulting firm in Houston.

June 1984 – Feb 1985

Industrial/Organizational Internship with King, Chapman & Broussard, 1000 Louisiana, Suite 1060, Houston, TX, 77002. Evaluated the Employee Involvement Intervention at Ford Motor Company, Detroit, MI. Developed questionnaires and survey instruments, designed research protocol, carried out research and analyzed data, wrote final report.

July 1981 – July 1984

Baylor College of Medicine, Dept. of Community Medicine. Research Associate for a three year grant entitled Ergonomics in Medicine. Developed research design, developed instruments to collect data re predictor and criterion variables, collected and analyzed data, wrote reports.

Mar 1984 – Oct 1984

Houston Independent School District, Research and Evaluation, 3310 Cummins, Houston, TX, 77098. Consultant. Performed job analysis interviews of principals, vice-principals, and administrators that were used to develop assessment center exercises to evaluate the performance of these groups of employees.

July 1983 – Oct 1983

Houston Independent School District, Research and Evaluation, 3310 Cummins, Houston, TX, 77098. Member of a three person team that developed the mathematics proficiency portion of HISD's basic competency test for teachers.

June 1982 – Jun 1983

Psychology Dept., Rice University, Houston, TX, 77251. Research associate on an NIMH grant to investigate the information processing components of substitution tests, and age-related differences in performance on these tests. Employed componential analysis, designed experimental procedure for study, wrote computer programs to collect data, collected data from over 300 children and young and older adults, analyzed data and wrote report.

Aug 1980 – Sep 1981

Psychology Dept., Rice University, Houston, TX 77251. Research Associate on a grant to evaluate the effects of training on spatial visualization ability. Collected and analyzed data.

August 2018

May 1980 – Sep 1980

The University of Texas Medical School Houston, Office of the Dean, Houston, Texas, 77030. Assisted in developing the instrument to assess medical students' attitudes toward residency programs. Assisted in analysis of data and report writing.

Apr 1978 – Apr 1979

Testing and Counseling Center, University of Southwest Louisiana (now University of Louisiana at Lafayette), Lafayette, LA. Worked with student clients to test abilities and aptitudes and recommend educational programs. Counseled students. Developed and presented workshops and training programs for students and staff.

Aug 1961 – May 1968

Secondary science teacher (general science, earth science, biology, chemistry). Hope Mills, NC; Austin, TX; New Orleans, LA.

SKILLS

- Experimental and applied research: methods and design, data collection and analysis.
- Hazard pattern analysis; development of hazard communication systems.
- Development and evaluation of training programs and interventions.
- Task, function and job analysis. System analysis. Function allocation analysis.
- Human Performance Modeling
- Statistical analysis: univariate and multivariate analysis of variance, correlational and regression analysis, factor analysis; analysis of results.
- Proposal writing; report and grant writing; technical writing and editing;
- Design, development, validation and implementation of tests, questionnaires and survey instruments.

REFERENCES

Kenneth Laughery, PhD. Professor of Human Factors Psychology (retired). Psychology Dept. Rice University, Houston, TX 77251

Betty Sanders, PhD. President, Humanomics, Inc. 10814 Oak Hollow Dr., Houston, TX 77024

Laurel Allendar, PhD. US Army Research Lab, AMSRL-HR-MB (retired), Aberdeen Proving Ground, MD 21005-5425

SELECTED PUBLICATIONS and Presentations

Bagnall, Timothy, Plott, Beth & Laux, Lila (2012). Discrete event simulation analysis of JSTARS battle management command and control. AFRL-RH-TR-2012_0088

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Bowden, Tim, Hutchins, Shaun, Jacobs, John, Laux, Lila and Peters, Steven (2012). *Testing Cognitive Behavior with Emphasis on Analytical Propensity of Service Members*. Army Research Laboratory, ARL-CR-690.

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My fee schedule is as follows:

For review of materials, report generation, consultation, etc.	\$100.00/hour
For deposition and trial testimony in Denver	\$200.00/hour
For travel days to give testimony at trial or to visit an accident site, etc.	\$1,200.00/day
All fees or charges incurred as a function of work on the case (air fare, long distance charges, hotels, copying, etc.)	as incurred

I have no minimum fee.

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The following is a list of cases in which I have testified in the last four years.

<u>Attorney Name</u>	<u>Case information</u>	<u>type/year</u>
LaBarron Boone	Sallee et al v Ford Motor Co. Et al Circuit Ct. of Montgomery Co., AL	Depo 2014
Paul Komyatte	Anderson v Colorado Action Mountain District Ct. of Jefferson CO, State of Co, Div. 1	Depo 2014
Henry Blackmon	Gonzales v Altec Industries, et al US Dist Ct for W Div of TX, San Antonio Div	Depo 2014
Brandon Lacy	Plummer v Terex Corp. et al U S Dist Ct Eastern Div of AR, Helena Division	Depo 2014
Cale Conley	Montbellier v Set-Up, Inc. et al Superior Court of Glynn Co., GA	Depo 2014
Lea Valdivia	Milov v Florida Pwr & Light Circuit Ct of Miami-Dade Co., FL	Depo 2014
John Bowley	Chang v Mazda Circuit Ct. of Cook Co., IL	Depo 2014 Trial 2014
Dave Webster	Binion v. U.S. Cause No. 13-CV-02602	Depo 2014
Robert Haslam	Landers v Williamson et al District Ct. Tarrant Co, 48 th Judicial Dist.	Depo 2014 Trial 2015
Lawrence Wilson	Soderman v Toyota District Ct of Galveston Co. TX, 212 Jud. Dist.	Depo 2014
Heidi Vicknair	Lane et al v. BNSF RR et al Dist. Ct. of Brazoria Co. TX, 239 th Judicial Dist.	Depo 2014 Trial 2015
Thomas Lilley	Madden v City of Roswell State of NM, Co. of Chavez, 5 th Judicial Dist.	Depo 2014
Robert Rosenthal	Hill v Toyota Motor Sales et al Superior Ct. State of CA, Co. of Monterrey	Depo 2014 Trial 2014
Keith Belt	Wingate v Cequent Consumer Products 10 th Judicial Circuit Ct., Jefferson Co., AL	Depo 2014
Randy Haynes	Ewing v Cooper Tire et al Circuit Ct of Macon, GA	Depo 2014
Kevin Riddle	Charles Taylor v P.E.G. Construction et al State of MI Circuit Ct of Oakland Co.	Depo 2014
Jeffrey D. Rowe	Namola v DAE-IL, Inc., Custom Chrome, Inc. & Warren Harley-Davidson Sales, Inc. In the Ct of Common Pleas, Trumbull County, OH	Depo 2015
Patrick Ardis	Patton v Chrysler et al Superior Ct, JD of Stamford at Stamford	Depo 2015

JoAnn Niemi	Eylicio v Honda Motor et al Superior Ct of the State of AZ, in and for the County of Maricopa	Depo 2015
Jules Olsman	Estate of Eleanor Balowski v TFI Healthcare US District Court E District of MI S Div	Depo 2015
Andrew Protzman	Herrimon v Conway Trucking et al US District Court, Kansas City	Depo 2015
Cale Conley	Jamison v Wal-Mart et al State Court of Dekalb Co., GA	Depo 2015
Ben Schmitt	Goodman v Victor L. Phillips et al Circuit Ct of Jackson CO, MO	Depo 2015
Ben Schmitt	French v Cherne US Dist. Ct., Western Dist. of MO	Depo 2015
Michael Goldstein	Akins v Wal-Mart et al Superior Ct. of the St. of CA, Co. of LA	Depo 2015 Trial 2016
Shane Langston	Lori Fielder, et al. v L.C. Conner, et al Us Dist. Court N. District Of MI, Aberdeen Div.	Depo 2015
Jacqueline Fusco	John Wagner v Volvo Construction Eqpmnt NA US District Court Connecticut	Depo 2015
John Flood	Arredondo V ACCO Brands County Court of Nueces County, TX	Depo 2015
Kent Emison	Adam Bergman v Rockhurst University Circuit Court of Jackson County, Missouri	Depo 2015
Bennett Midlo	Ranfieri v Continental Tire Superior Court of AZ, County of Pima	Depo 2015
JoAnn Niemi	Eylicio v Honda Motor et al Superior Ct of the State od AZ, in and for the County of Maricopa	Depo 2015
Bennett Midlo	Neira v Ford Motor Company Superior Ct. of AZ, Pinal Co.	Depo 2015
Cale Conley	Walker v Bell Sports US Dist. Ct., N. Dist. GA, Atlanta Div.	Depo 2016
Robert Ammons	Clarke v Toyota Motor Co. et al Superior Ct. of AZ, Pima Co.	Depo 2016
Marl Schultz	Mirgon-Erb v Briggs and Stratton US Distr. Ct for District of MD	Depo 2016
Chelsea Pasquali	Janowski v Deere & Co. State of Michigan, Circuit Ct. of Genesee Co.	Depo 2016 Trial 2017
Geoffrey Gaia	Boyd v Terex Utilities, Inc. <i>et al</i> US Dist. Ct., E. Dist. AR, Helena Div.	Depo 2016
Jim Gilbert	Pertile v GM et al US District Court for the District of Colorado	Depo 2016
Mary Leah Miller	Colley v Goodyear tire & Rubber Co. et al Circuit Ct. of Harrison Co., MI, 1 st Judicial Dist.	Depo 2016
Jeffrey Rowe	Arias v Evenflo Co. Us Dist. Court S Dist. Tx Houston Div.	Depo 2016

David Lira	Golston v. Hertz	Depo 2016
	Court of Appeal, 4 th Appellate Dist., Div. 1, CA	Trial 2017
Ryan Malnar	Maestas v T.O. Wings	Depo 2016
	Dist. Court, County of El Paso, Co	
R. Ben Hogan	Blair v Gorrie-Regan & Assoc., Inc. <i>et al</i>	Depo 2016
	Circuit Ct. of Jefferson County, AL	
Matthew Shows	Maslen v deJong	Trial 2016
	Denver County District Court, Colorado	
Timothy Trecek	Ellyson v. Magic Circle Corp. et al	Depo 2016
	Case No. 15 CV 0084	
Keith Belt	Bradbury v Hunter Safety System	Depo 2017
	Circuit Ct. of Chilton Co., AL	
Travis Venable	Maria Salazar v Charles Less Foster and PNP	Depo 2017
	Petroleum I, LLP, Dist. Ct. Bexar, TX 48 th Jud Dist.	
Gregory Clayton	Zakrzewski v Bombardier Recreational Products	Depo 2017
	& BRP US, Inc.	
	US District Ct., District of New Hampshire	
Greg Denney	Crider v Action Safety Supply CO,	Depo 2017
	District Court of Wagoner CO. Oklahoma	
Steve Brannon	Dickerson v WTG Fuels	Depo 2017
	Dist. Ct. Reagan Co., TX 112 th Judicial Dist.	
Richard Shenkan	Jeffers v. American Honda Finance Corp.	Depo 2017
	U.S. Dist. Court, E.D. of Pennsylvania	
Brandon Lacy	Liles v Dickson <i>et al</i>	Depo 2017
	Circuit Court of Craighead Arkansas	
JoAnn Niemi	Scott Barth v Blue Diamond LLC et al	Depo2017
	Superior Court of the St. of Delaware	
Brian W. Crews	Rojas v The Chamberlain Group, Inc. et al	Depo 2017
	Circuit Court in and for Orange County, FL	
Travis Kinzler	Sheehan v Energy Transfer Partners et al	Depo 2017
	Montana 18 th Judicial Dist. Ct., Gallatin Co.	
Chris Stucky	Shillingburg v Majestic Star Casino	Depo 2017
	State of Indiana Marion Superior Court	
Dawn Smith	Taylor v Farr et al	Depo 2017
	33 rd Judicial District San Saba Co., TX	
Alton C. Todd	Crespo et al v Union Pacific RR Co., et al	Depo 2017
	270 th District Court, Harris Co., TX	
Mike Wyatt	Kincaid v Kubota et al	Depo 2017
	27th Jud. Dist. Ct, Reno County, KS, Civil Dept.	
Dan Taliaferro	Rita Marie Edwards v Penny Pearson et al	Depo 2017
	Circuit Court for Elmore Alabama	
Michael Cok	Rogers v Bristol-Meyers Squibb, et al	Depo 2017
	Montana 13th Judicial Dist. Ct, Yellowstone Co.	
Tim Trecek	Ellyson v KelchCorp	Depo 2017
	111th Judicial District Court, Webb County TX	
Joseph Barrientos	Dominguez v Juan Cruz	Depo 2017

Sean Cleary	State of Wisconsin, Circuit Ct., Sheboygan Co. Everhart vs. Reckitt Benckiser	Depo 2018
Christopher Moore	US District Ct. Southern District of FL. Dietrich v LG Chem <i>et al</i>	Trial 2019 Depo 2018
Tad Griffin	US District Court, SC, Columbia Division Persaud v FCA US LLC	Depo 2018
Frank Wilson	Circuit Ct. 9 th Judicial Circuit Ct, Osceola Co., FL Kimber v Ivan Campbell Logging Co. et al	Depo 2018
James Beasley	Circuit Ct. Bullock Co. AL Jones v Morey's Piers	Depo 2018
Leon Russell	Superior Court of NJ, Cape May Co. Cook et al v Valentines et al	Depo 2018
Kip Whittemore	CO Ct. at Law No. 3 Dallas CO TX Miler et al v GM et al	Depo 2018
Joseph Barrientos	Circuit CT Maury CO, TN 22 nd Judicial Dist. Siegel et al v Yamaha Golf Car Company et al	Depo 2018
Matthew Lundy	162 nd District Court, Dallas Co., TX Kane v Monsanto	Depo 2018
Sommer Luther	Circuit Ct. St. Louis, MO Fowler v City and County of Denver	Depo 2018
Beau Powell	District Ct. City and County of Denver Morano et al v Demilec USA LLC et al	Depo 2018
Charles Allen	Circuit Ct. 18th Judicial Circuit Brevard Co. FL Cunnison v Jacuzzi	Depo 2018
Jack P. Hill	District Ct., Clark Co., NV Pena v Tracker Marine et al	Depo 2018
Beth Kline	15 th Judicial Circuit Palm Beach Co., FL Goehrig v Core Mountain Enterprises et al	Depo 2018
Dawn Smith	San Juan County Dist. Ct, CO Albanese v Demilec USA Inc. et al	Depo 2018
Sean Cleary	Superior Ct. Judicial Dist. Of New London Margarita Leyva v Am. Honda Motor Co., Inc.	Depo 2018
Bruce Kaster	Circuit Ct 11 th Judicial Ct Gen.Jurisd. Div. Breux v Goodyear et al	Trial 2019 Depo 2018
Chad Lucas	25 th Judicial Dist. Court Plaquemines Parish, LA Mondaine v Jackson Automotive	Trial 2019 Depo 2018
Felix Luna	Circuit Ct. Jackson Co. Missouri at Kansas City Gruening v Johnson Controls Battery Group et al	Depo 2018
Matthew Minner	Superior Court of Washington for King County Eric Massie v. Penske <i>et al</i>	Depo 2018
Geoff Gaia	Commonwealth of KY Jefferson Circuit Court Wortham v Peggs et al	Depo 2018
David Paul	Circuit Ct. of TN 30 th Judicial Dist. at Memphis Mackay v Creative Hairdressers, Inc. et al	Trial 2019 Depo 2019
	District Ct. in Middle Distr of FL Jacksonville Div.	

Dave Sleppy	Bills v Dixie's Vapor Shop et al State CT. Cobb Co. State of GA	Depo 2019
Alberto L. Guerrero	Lopez et al v 3M Company et al 103 rd Judicial Dist. Court, Cameron Co., TX	Depo 2019
Jonathan Marko	Culhane v Wal-Mart Supercenter et al US Distr. Ct. Eastern Dist. MI Southern Div.	Depo 2019
Rob Ammons	Porter & Ryan v. Ford Motor CO. et al District Court, 44 th Judicial Dist., Dallas Co., TX	Depo 2019